

FILED

08 MAR 24 AM 11:54

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 07-CV-06349 JSW
LUZ-MARIA URZUA, CESAR ANCHANTE-MARTINETTI,
et. al.
C/o 6787 Hillsvieview Dr,
Vacaville, California Zip Code Exempt,
Libellant,
vs.
COUNTRYWIDE HOME LOANS, ANGELO MOZILO, CEO,
et. Al.
C/o P.O. Box 10219
Van Nuys, California [91410]
Libellee,

VERIFIED NOTICE OF DEFAULT

Now, by special appearance, comes Luz-Maria Urzua and Cesar Anchante-Martinetti the flesh and blood woman and man, Sui Juris and unschooled in law, hereinafter referred to as we, ours, us, me, my, I, or the like, to make the following AFFIDAVIT with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead or delay.

- 1.) We are of legal age, competent to testify and under no legal disability.
- 2.) Libellants have filed an action for declaratory judgment as a result of libellee's breach of agreement.
- 3.) Libellants have exhausted his administrative remedies in this instant matter.
- 4.) Libellants seek a default judgment as libellees have failed to

rebut the complaint.

5.) Libellees have failed to ask for a more definitive statement and are in agreement with libellants.

6.) We have perfected an administrative COUNTERCLAIM procedure to exhaust our administrative remedies in this instant matter, see Notary Protest.

7.) An examination of the Notary Protest will serve to establish that COUNTRYWIDE HOME LOANS has agreed to be bound to the COUNTERCLAIM obtained through the binding arbitration process of a Notary Protest, see Notary Protest.

OVERVIEW OF FACTS

8.) On October 10, 2007 Libellees sent a presentment to us demanding payment of a sum certain.

9.) We conditionally accepted that presentment upon COUNTRYWIDE HOME LOAN'S continuing fiduciary duty to deal honestly and answer questions about the underlying obligation.

10.) We then sought to exhaust our administrative remedies.

11.) On December 14, 2007 I filed suit in UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA, Case number CV-07-6349 CW with the administrative procedure attached.

12.) THE RECORD shows that COUNTRYWIDE HOME LOAN received service of summons on the 24th day of December of 2007, see attached postal form, certified mail number 7007 1490 0000 8781 2525.

13.) The RECORD shows that COUNTRYWIDE HOME LOANS has refused and/or failed to appear and defend.

14.) Twenty-eight days have passed since Case number CV 07-6349 CW was filed.

15.) On the 14th day of March, 2008 I sent a NOTICE OF DEFAULT to COUNTRYWIDE HOME LOANS.

16.) THE RECORD shows that COUNTRYWIDE HOME LOANS received the NOTICE OF DEFAULT on the 17th day of March 2008, see attached postal form, certified mail number 7006 0100 0005 6174 0331.

17.) Three days have passed since COUNTRYWIDE HOME LOANS received the NOTICE OF DEFAULT.

18.) COUNTRYWIDE HOME LOANS has remained silent.

19.) COUNTRYWIDE HOME LOANS is not an infant or incompetent person.

20.) The RECORD shows that no request for a more definitive statement was executed by COUNTRYWIDE HOME LOANS.

21.) Federal Rules of Civil Procedure provide for default judgment by the clerk for a failure to appear and defend [rule 55(a)].

22.) The Protest evidences COUNTRYWIDE HOME LOAN'S agreement, consent and stipulation to my position.

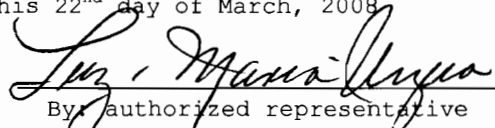
23.) COUNTRYWIDE HOME LOANS is in default.

24.) A default judgment by the clerk establishing COUNTRYWIDE HOME LOAN'S default is appropriate.

25.) A sum certain amount of \$64,774,742.40 is due and owing libellants by libellee.

Our yea is our yea and our nay is our nay.

Dated this 22nd day of March, 2008


By: authorized representative
Without recourse



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUZ-MARIA URZUA, CESAR ANCHANTE-) Case No. 07-CV-6349 JSW
MARTINETTI)
C/o 6787 Hillsvieview Dr,)
Vacaville, California Zip Code)
Exempt,)
Libellants,)
vs.)
COUNTRYWIDE HOME LOANS, ANGELO MAZELO)
CEO et. Al.)
C/o P.O. Box 10219)
Van Nuys, California [91410]
Libellee,

PRECIEPE TO THE CLERK

Now, by special appearance, comes Luz-Maria Urzua and Cesar Anchante-Martinetti, the flesh and blood woman and man, Sui Juris and unschooled in law, hereinafter referred to as we, ours, us, me, my, I, or the like, to make the following NOTICE with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead.

NOTICE is hereby given that:

1.)We are of legal age, competent to testify and under no legal

1 disability.

2 2.) Kindly find enclosed a VERIFIED NOTICE OF DEFAULT and ENTRY OF
3 DEFAULT in Case No. CV 07 6349 JSW.

4 F.R.C.P. Rule 55(a) Entry provides:

5 When a party against whom a judgment for affirmative relief is sought
6 has failed to plead or otherwise defend as provided by these rules and
that fact is made to appear by affidavit or otherwise, the clerk shall
enter the party's default.

7 And F.R.C.P. Rule 55 (b) Judgment provides:

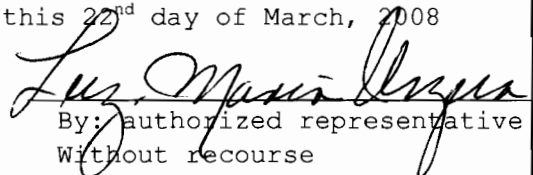
8 Judgment by default may be entered as follows:

9 (1) By the Clerk.

10 When the plaintiff's claim against a defendant is for a sum certain or
11 for a sum which can by computation be made certain, the clerk upon
request of the plaintiff and upon affidavit of the amount due shall
enter judgment for that amount and costs against the defendant, if the
defendant has been defaulted for failure to appear and is not an infant
or incompetent person.

12 3.) Kindly verify that libellee has refused and/or failed to answer
13 and/or otherwise appear and defend and then ENTER JUDGMENT BY DEFAULT
14 in the above captioned case.

15
16 Dated this 22nd day of March, 2008

17 
By: authorized representative
Without recourse

18
19
20
21 
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Sam

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUZ-MARIA URZUA, CESAR ANCHANTE-
MARTINETTI
C/o 6787 Hillsvieview Dr,
Vacaville, California Zip Code
Exempt,
Libellants,
vs.
COUNTRYWIDE HOME LOANS, ANGELO
MOZILO, CEO et. Al.
C/o P.O. Box 10219
Van Nuys, California [91410]
Libellee,

CERTIFICATE OF SERVICE

Now, by special appearance, comes Luz-Maria Urzua and Cesar Anchante-Martinetti, the flesh and blood woman and man, Sui Juris and unschooled in law, hereinafter referred to as We, ours, us, me, my, I, or the like, to make the following NOTICE with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead.

NOTICE is hereby given that:

1.)We are of legal age, competent to testify and under no legal disability.

2.) This is to certify that on March 22nd, 2008 we placed a true and accurate copy of the enclosed PRECIEPE, VERIFIED NOTICE OF DEFAULT and ENTRY OF DEFAULT in the U. S. mail with postage prepaid and addressed as follows:

COUNTRYWIDE HOME LOANS

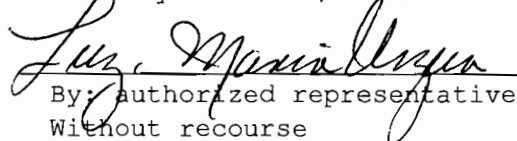
ANGELO MOZILO, CEO et. Al.

C/o P.O. Box 10219

Van Nuys, California [91410]

With certified mail number 7006 0100 0005 6174 0300

Dated this 22 day of March, 2008


By: authorized representative
Without recourse

